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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/784,489	02/15/2001	Jiping Wang	7960M	1712

27752 7590 03/31/2003

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EXAMINER

BOYER, CHARLES I

ART UNIT PAPER NUMBER

1751

DATE MAILED: 03/31/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/784,489

Applicant(s)

Wang et al

Examiner

Charles Boyer

Art Unit

1751



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on Feb 6, 2003

2a) ☒ This action is **FINAL**.

2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1-25 is/are pending in the application.

4a) Of the above, claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1-25 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____

4) ☐ Interview Summary (PTO-413) Paper No(s). _____

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other:

Application/Control Number: 09/784489

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DETAILED ACTION

This action is responsive to applicants' amendment and response received February 6, 2003. Claims 1-25 are currently pending.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 and 4-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Willey et al, WO 94/28106 in view of Payet, US 5,885,303.

Willey et al teach laundry detergent compositions containing bleaching systems with bleach activators (see abstract). An example of such a composition comprises 15% sodium percarbonate and 5% bleach activator where the bleach activator is nonanoyl caprolactam, (6-nonamidocaproyl)oxybenzene sulfonate, and benzoxazin activator where fabrics are laundered with this composition at 40°C for 40 minutes (page 23, examples V, VIII, and X). With respect to claim limitations such as whiteness value and fiber degradation, as Willey et al teach the identical bleaching solution of the present claims, the solution of Willey et al will inherently meet these claim limitations.

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Payet teaches a process for imparting durable press to fabrics (see abstract). The process contacts a fabric with formaldehyde, a catalyst, and a silicone elastomer (see abstract). Neither reference teaches a combination process of bleaching and providing durable press. The examiner notes however that bleaching a fabric by saturating it with a bleaching solution is taught in perhaps hundreds of references, and providing durable press with a formaldehyde/silicone elastomer composition is very well known in the art as demonstrated by the reference above. It does not represent an inventive step to combine two well known processes of treating a fabric into a single process. Accordingly, it would have been obvious to one of ordinary skill in the art, wishing to both bleach and provide durable press to a fabric, to use the bleaching and durable press systems well known in the art and so render obvious the claims at hand.

Applicants have traversed this rejection on the grounds that the reference does not teach the bleaching of non-finished textiles. The examiner maintains that as the reference teaches bleaching compositions for removing stains from textiles, one of ordinary skill in the art would not make a distinction between stain removal from finished or non-finished textiles. Applicants have not presented evidence or argument why the bleaching composition of the reference, identical to that of applicants, would not be effective on non-finished fabrics. The examiner believes the bleaching composition of the reference would inherently be just as effective on non-finished textiles as it has been shown to be on finished textiles. Accordingly, the rejection is maintained.

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3. Claims 1-3, 5-21 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Willey et al, WO 94/28106 in view of Wright, US 3,639,096.

Willey et al teach laundry detergent compositions containing bleaching systems with bleach activators (see abstract). An example of such a composition comprises 15% sodium percarbonate and 5% bleach activator where the bleach activator is nonanoyl caprolactam, (6-nonamidocaproyl)oxybenzene sulfonate, and benzoxazin activator where fabrics are laundered with this composition at 40°C for 40 minutes (page 23, examples V, VIII, and X). With respect to claim limitations such as whiteness value and fiber degradation, as Willey et al teach the identical bleaching solution of the present claims, the solution of Willey et al will inherently meet these claim limitations.

Wright teaches a process for imparting wrinkle resistance to fabrics (see abstract). The process contacts a fabric with dimethylol-4,5-dihydroxyethylene urea (see abstract). Neither reference teaches a combination process of bleaching and providing durable press. The examiner notes however that bleaching a fabric by saturating it with a bleaching solution is taught in perhaps hundreds of references, and providing durable press with a dimethylol-4,5-dihydroxyethylene urea composition is very well known in the art as demonstrated by the reference above. It does not represent an inventive step to combine two well known processes of treating a fabric into a single process. Accordingly, it would have been obvious to one of ordinary skill in the art, wishing to both bleach and provide durable press to a fabric, to use the bleaching and durable press systems well known in the art and so render obvious the claims at hand.

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Applicants have traversed this rejection on the grounds that the reference does not teach the bleaching of non-finished textiles. The examiner maintains that as the reference teaches bleaching compositions for removing stains from textiles, one of ordinary skill in the art would not make a distinction between stain removal from finished or non-finished textiles. Applicants have not presented evidence or argument why the bleaching composition of the reference, identical to that of applicants, would not be effective on non-finished fabrics. The examiner believes the bleaching composition of the reference would inherently be just as effective on non-finished textiles as it has been shown to be on finished textiles. Accordingly, the rejection is maintained.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Boyer whose telephone number is (703) 308-2524. The examiner can normally be reached on Monday-Friday from 9:30 AM - 6:00 PM.

If reasonable attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yogendra Gupta, can be reached on (703) 308-4708. The fax phone number for this Group is (703) 872-9310 for non-after-final amendments and (703) 872-9311 for after-final amendments.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0661.

Charles Boyer

March 27, 2003

A handwritten signature in black ink, appearing to read "Charles Boyer", written in a cursive style.